

430 Rec'd PCT/PTO 22 JUL 1999

FORM PTO-1390
(REV. 5-93)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTORNEY DOCKET NUMBER
2345/87**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/355149INTERNATIONAL APPLICATION NO.
PCT/EP98/03086INTERNATIONAL FILING DATE
(26.05.98)
26 May 1998PRIORITY DATES CLAIMED
(06.06.97)
06 June 1997**TITLE OF INVENTION
DEVICE AND METHOD FOR RECEIVING DATA**APPLICANT(S) FOR DO/EO/US
ASSMUS, Ulf and ROTH, Michael


Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) immediately rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: PCT/RO/101.

EXPRESS NO. : EL179956328US

U.S. APPLICATION NO. if known, see 37 C.F.R. 1.5: 09/355149		INTERNATIONAL APPLICATION NO. PCT/EP98/03086		ATTORNEY'S DOCKET NUMBER 2345/87	
17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) ... \$670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	17 - 20 =	0	X \$18.00	\$	
Independent Claims	2 - 3 =	0	X \$78.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 840.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 840.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$840.00	
				Amount to be: refunded \$	
				charged \$	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>11-0600</u> in the amount of \$840.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0600</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Kenyon & Kenyon One Broadway New York, New York 10004			<div style="text-align: center;">  SIGNATURE </div> <div style="text-align: center;"> <u>Michelle M. Carniaux, Reg. No. 36,098</u> NAME </div> <div style="text-align: center;"> <u>22 JUL 1999</u> DATE </div>		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : ASSMUS et al.
International Application : PCT/EP98/03086
International Filing Date : 26 May 1998
For : DEVICE AND METHOD FOR RECEIVING
DATA

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Attention: Legal Division

PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b)

Sir:

Applicants hereby petition to revive the above-identified abandoned application under 37 C.F.R. 1.137(b). The application became unintentionally abandoned on February 6, 1999 for failure to enter the U.S. national phase by expiration of the 20-month deadline. A Demand for International Preliminary Examination Under PCT Chapter II was not filed.

Applicants are submitting herewith the following documents to initiate the U.S. National Phase filing under 35 U.S.C. 371:

- a) Transmittal Letter to the United States Designated/Elected Office

Concerning a Filing Under 35 U.S.C. 371;

- b) English translation of the International Application as filed;
- c) Preliminary Amendment;

06/12/2000 BMICKSON 00000001 11000 09351149 Filing fees (authorization to charge Deposit Account No. 11-0600).

01 FC:141 1210.00 CH

EXPRESS MAIL NO. EL179956328US

Applicants' entire delay in filing the U.S. National Phase application from its due date of February 6, 1999 until the filing of this Petition was unintentional.


It is respectfully requested that a U.S. Serial Number be assigned to this application.

The Commissioner is authorized to charge **\$1210.00** for payment of the fee under 37 C.F.R. §1.17(m) to Deposit Account No. **11-0600**.

The Commissioner is also authorized to charge any additional fees or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this communication is enclosed for charging purposes.

Respectfully submitted,

Date: 22 July 1999

By: 
Michelle M. Carniaux
Reg. No. 36,098

KENYON & KENYON
One Broadway
New York, New York 10004
Telephone: (212) 425-7200
Facsimile: (212) 425-5288

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EXPRESS MAIL CERTIFICATE

"EXPRESS MAIL" MAILING LABEL NUMBER EL179956328

DATE OF DEPOSIT JULY 22, 1999

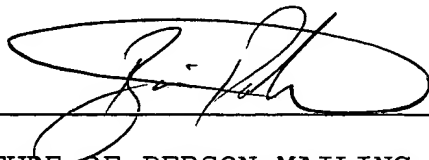
TYPE OF DOCUMENT Nat. Phase Application re: ASSMUS et al
(2345/87)

SERIAL NO. To be Assigned FILING DATE Herewith

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE, BY BEING HANDED TO A POSTAL CLERK OR BY BEING PLACED IN THE EXPRESS MAIL BOX BEFORE THE POSTED DATE OF THE LAST PICK UP, AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

BORIS POLANCO

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)



(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Device and method for receiving data